

## MODIFIED PSRs - Fact Sheet

In March 2005 the Judicial Conference approved various cost containment measures affecting Probation Offices throughout the federal court system. One of the measures enacted was a 10% reduction in the staffing formula for Probation Offices for less mission-critical investigations, i.e., “modified PSRs.” As noted by the Office of Probation and Pretrial Services in a forthcoming revised Monograph 107 (*The Presentence Investigation Report*), modified PSRs will have streamlined offense conduct, criminal, and social history sections, and they likely will present no complex guideline issues.

In response to this cost containment measure, in March 2006 the judges in the District of New Jersey approved a proposal by the Probation Office that modified PSRs be prepared on select cases, as ordered by the court at time of adjudication of guilt. Given the streamlined social history sections in modified PSRs, the underlying focus in determining the appropriate cases will be whether or not the defendants will be supervised by the Probation Office. The details concerning the types of appropriate cases and sentencing procedures are as follows:

- 1) Modified PSRs may be ordered on illegal re-entry or similar immigration offenses, cases involving drug offenses where the defendant is an illegal alien and may be subject to a minor role adjustment, and cases involving prison offenses where a full PSR has already been completed.
- 2) Sentence dates for such cases will be 60 days after plea/verdict. Disclosure of the report will be 25 days before sentencing. There will be one version of the report - not a draft and then final; the report will be disclosed to the parties and to the judge at the same time. Counsels will be instructed in a cover disclosure letter to submit any objections directly to the court (with a copy to the Probation Office) or raise them at sentencing.
- 3) The Referral for Presentence Investigation form utilized by courtroom deputies now includes a check-off box for a Modified PSR having been ordered by the court. This form is to be furnished to the Probation Office by the courtroom deputy and/or defense counsel.